

# SUMMARY ANALYSIS OF AMENDED BILL

## Franchise Tax Board

Author: Shelley Analyst: Roger Lackey Bill Number: AB 2799

Related Bills: See Prior Analysis Telephone: 845-3627 Amended Date: 07-06-2000

Attorney: Patrick Kusiak Sponsor:

**SUBJECT:** Public Record Disclosure/Make Available In Electronic Format If Available & When Requested

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended \_\_\_\_\_.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended \_\_\_\_\_.

FURTHER AMENDMENTS NECESSARY.

☒ DEPARTMENT POSITION CHANGED TO Support.

☒ REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED June 22, 2000, STILL APPLIES.

OTHER - See comments below.

### SUMMARY OF BILL

This bill would require any state or local agency that has public information in an electronic format to make that information available to the public in the electronic format in which the state agency holds the information. The requester would pay the direct cost of duplicating the public record in an electronic format.

This bill would further require a public record to be disclosed if, on the facts of the particular case, the public interest is served by disclosing the record.

### SUMMARY OF AMENDMENT

The July 6, 2000, amendment added language that would provide that if a request is for information in other than in an electronic format and that requested information is also available in an electronic format, a state agency may inform the requester of the information's availability in electronic format.

In addition, the amendment would broaden the language specifying that nothing in this bill would be construed to permit public access to records held by the Department of Motor Vehicles to which access is restricted by law. The language would now apply to all state agency records.

Except for the discussion above, the analysis of AB 2799, as amended June 22, 2000, still applies.

### BOARD POSITION

Support. At its July 5, 2000, meeting, the Franchise Tax Board voted 2-0 to support this bill, with member B. Timothy Gage abstaining.

#### Board Position:

☒ S  
☐ SA  
☐ N

☐ NA  
☐ O  
☐ OUA

☐ NP  
☐ NAR  
☐ PENDING

#### Legislative Director

#### Date

Johnnie Lou Rosas

7/25/2000